

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 CAL COBURN BROWN, *et al.*,

9 Plaintiffs,

10 v.

11 ELDON VAIL, *et al.*,

12 Defendants.

13 CASE NO. C09-5101RSL

14 ORDER DENYING MOTION TO
15 LIFT STAY AND DENYING
16 MOTION FOR A TEMPORARY
17 RESTRAINING ORDER AS MOOT

18 This matter comes before the Court on plaintiff Cal Coburn Brown's Motion to Lift the
19 Stay and for a Temporary Restraining Order ("TRO"). Now that the State Supreme Court has
20 granted plaintiff's request for a stay of his execution, plaintiff's request for a stay and a TRO
21 from this Court is DENIED (Dkt. #14) as moot. Moreover, the State Supreme Court's order
22 remanded the case to Thurston County Superior Court. Now that it appears that the Thurston
23 County Superior Court will consider the merits of plaintiff's claims, his request to lift the stay in

1 this case is DENIED so plaintiff may continue to seek relief in state court.

2

3 DATED this 12th day of March, 2009.

4

5 

6 Robert S. Lasnik
7 United States District Judge

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26